

TFW

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of
Burbank et al.

) Examiner: Charles H. Sam

) Group Art Unit: 3731

For: **TENACULUM-LIKE DEVICE FOR
INTRAVAGINAL INSTRUMENT
DELIVERY**

Serial No.: 10/716,329

TRANSMITTAL

Filed: November 18, 2003

Atty. Docket No.: R0368-04000

CERTIFICATE OF MAILING PURSUANT TO 37 CFR 1.8

I hereby certify that this paper is being deposited in the United States mail as first class mail with postage prepaid, and is addressed Mail Stop Amendment, to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 8/3/2005 in San Francisco, CA.

By: [Signature]

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

1. Transmitted herewith for filing in the above-identified patent application are the following:

- X Supplemental Information Disclosure Statement;
- X Form PTO-1449 and copy of 4 cited references; and
- X International Search Report mailed 5/3/2005; and
- X Self-stamped return receipt postcard.

2. Payment of Fees

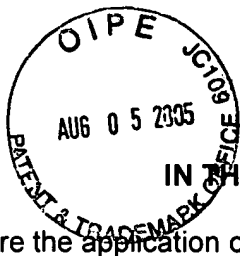
- X There are no fees due with this communication; however, the Commissioner is authorized to charge any fees and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0368-04000. **A duplicate copy of this transmittal is enclosed for this purpose.**

Respectfully,

By: [Signature]

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) Examiner: Not yet assigned

) Group Art Unit: 3731

) **INFORMATION DISCLOSURE**
) **STATEMENT**

CERTIFICATE OF MAILING PURSUANT TO 37 C.F.R. §1.8

I hereby certify that this paper is being deposited in the U.S. Postal Service as first class mail with sufficient postage addressed to Mail Stop
Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on 8/3/2005, in San Francisco, CA.

By: [Signature]

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants wish to bring to the attention of the Patent Office the references listed on the attached PTO-1449 form and request that they be considered by the Examiner. Each item of information contained in the Information Disclosure Statement was cited in an International Search Report from a foreign patent office in a related foreign application not more than three months prior to the filing of this Statement. A copy of the International Search Report, foreign patent and other documents listed in the attached are enclosed herewith.

This request is being submitted under 37 C.F.R. §1.97(b)(3), therefore no fee is due: However, the Commissioner is authorized to charge any deficiencies in fees due and to credit any overpayment of fees which may be required under 37 C.F.R. §1.16 or §1.17, to Deposit Account No 04-1679, referencing Atty. Docket No. R0368-04000.

Respectfully submitted,

By: [Signature]

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE STATEMENT

UNDER 37 CFR §1.56, §1.97, and §1.98

PTO-1449 FORM

SHEET 1 OF 1

ATTORNEY DOCKET NO.:

R0368-04000

SERIAL NO.:

10/716,329

APPLICANTS:

Burbank et al.

EXAMINER

Charles H. Sam

FILING DATE:

November 18, 2003

GROUP ART UNIT:

3731

U.S. PATENT DOCUMENTS

† EX'R INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	NAME	U.S. CLASS/ SUBCLASS	FILING DATE (If appropriate)
	A97	2,400,251	5/46	Nagel		
	A98	4,757,823	7/88	Hofmeister et al.		
	A99	2002/165579	11/02	Burbank et al.		
	A100	2003/120306	6/03	Burbank et al.		

FOREIGN PATENT DOCUMENTS

† EX'R INITIAL	*REF. #	PATENT NUMBER	DATE (MO/YR)	COUNTRY	TRANSLATION (YES/NO)	
	B20	FR 1 220 773 A	5/60	France		
	B21	EP 0 890 342 A	1/99	EPO		

OTHER DOCUMENTS

† EX'R INITIAL	*REF. #	Document Description (including Author, Title, Date, Pertinent Pages, Etc.)
	C20	International Search Report for PCT/US2004/038111, mailed May 3, 2005.
	C21	Written Opinion for PCT/US2004/038111, mailed May 3, 2005.
	C22	Translation of FR 1 220 773.

EXAMINER'S SIGNATURE

DATE CONSIDERED

† EXAMINER:

Initial if reference is considered, whether or not citation is in conformance with MPEP 609.
Line through citation if not in conformance and not considered.
Include copy of this form in next communication to applicant.

* If an asterisk is placed beside the reference number, a copy is not provided because the reference was previously cited by or submitted to the PTO in a prior application that is identified in the statement and relied upon for an earlier filing date under 35 U.S.C. 120. 37 C.F.R. 1.98(d).